

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION STUDENT-
ATHLETE CONCUSSION LITIGATION**

MDL NO. 2492

Master Docket No. 13-cv-09116

Judge John Z. Lee

Magistrate Judge Geraldine Soat
Brown

**PLAINTIFFS' MOTION FOR LEAVE TO FILE 27-PAGE REPLY
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY
APPROVAL OF SETTLEMENT (RESPONSE TO THE NICHOLS' OPPOSITION)**

Plaintiffs Adrian Arrington, Derek Owens, Kyle Solomon, Angela Palacios, Abram Robert Wolf, Sean Sweeney, Jim O'Conner, Dan Ahern, Paul Morgan, Jeffrey Caldwell, John DuRocher, and Sharron Washington (collectively, the "Settlement Class Representatives"), on behalf of themselves and as representatives of the Settlement Class, for their Motion for Leave to File, state as follows:

1. On July 29, 2014, Class Representatives filed their Motion for Preliminary Approval of Class Settlement and Certification of Settlement Class ("Motion") seeking preliminary approval of a settlement agreement (the "Settlement Agreement") entered into with the NCAA.¹

2. The Motion was addressed by the Court on July 20, 2014, and following the hearing, the Court issued Case Management Order No. 2, permitting the plaintiff in *Nichols v. National Collegiate Athletic Association*, No. 14-cv-0962 ("Nichols") to file an objection to the

¹ See Motion for Preliminary Approval (Dkt. No. 64).

Motion for Preliminary Approval by August 22, 2014. Nichols was allotted a total of 30 pages for his submission.²

3. On August 22, 2014, Nichols filed a Response to Plaintiffs' Motion for Preliminary Approval of Class Settlement.³

4. To address the issues raised by Nichols' Response to Plaintiffs' Motion for Preliminary Approval of Settlement, Plaintiffs request leave to file a reply brief in support of their Motion not to exceed 27 pages *instantly*. A copy of the proposed Reply is attached as Exhibit A.

WHEREFORE, Plaintiffs respectfully request that the Court grant their motion, and enter an order granting Plaintiffs' leave to file a reply not to exceed 27 pages.

Date: September 5, 2014

Respectfully submitted,

By: /s/ Steve W. Berman

Steve W. Berman

steve@hbsslaw.com

HAGENS BERMAN SOBOL SHAPIRO LLP

1918 Eighth Avenue, Suite 3300

Seattle, WA 98101

206.623.7292

Fax: 206.623.0594

Elizabeth A. Fegan

beth@hbsslaw.com

Thomas E. Ahlering

toma@hbsslaw.com

HAGENS BERMAN SOBOL SHAPIRO LLP

1144 W. Lake Street, Suite 400

Oak Park, IL 60301

708.628.4949

Fax: 708.628.4950

² See Case Management Order No. 2, at 2 (Dkt. No. 74).

³ See Dkt. No. 83.

Joseph J. Siprut
jsiprut@siprut.com
Gregg M. Barbakoff
gbarbakoff@siprut.com
SIPRUT PC
17 North State Street
Suite 1600
Chicago, IL 60602
312.236.0000
Fax: 312.878.1342

Lead Counsel

Richard Lewis
HAUSFELD LLP
1700 K Street, NW Suite 650
Washington, DC 20006

*Special Class Counsel for Medical
Monitoring Relief*

Charles Zimmerman
ZIMMERMAN REED
1100 IDS Center
80 South 8th St.
Minneapolis, MN 55402

James Dugan
DUGAN LAW FIRM, APLC
One Canal Place, Suite 1000
365 Canal Street
New Orleans, LA 70130

Mark Zamora
THE ORLANDO FIRM, P.C.
315 West Ponce De Leon Ave
Suite 400
Decatur, Georgia 30030

Executive Committee for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on September 5, 2014, a true and correct copy of the foregoing was filed electronically via CM/ECF, which caused notice to be sent to all counsel of record.

By: /s/ Steve W. Berman